OCT 0 9 2008

## Facsimile Transmission

222 EAST 41ST STREET . NEW YORK, NEW YORK 10017 . (212) 326-3939 Facsimile: (212) 755-7306 g]tuma@jonesday.com

Please deliver the following facsimile to:

Name/Company:

Fax No.:

Telephone No.:

571-273-8300

571-272-9970

MAIL STOP AF

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Examiner Elizabeth R. MacNeill

Group Art Unit: 3767

U.S. Patent Application 10/797,565

Filed March 11, 2004 Confirmation No. 4820

RE: Pre-Appeal Brief Request, Notice of Appeal, and

Remarks for Pre-Appeal Brief Conference

☐ Copies distributed — \*\*Copies distributed

From:

Garry J. Tuma (office 723)

Direct Telephone No.:

212-326-7845

JP No.:

JP008913

CAM No.:

206298-999757

Docket No.: 11201-735-999

Number of pages (including this page):

NOTICE: This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the Intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone at the direct telephone number noted above.

## CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that these papers are being filed with the U.S. Patent and Trademark Office by facsimile transmission on October 9, 2008 to facsimile telephone number 571-273-8300.

Garry J. Tuma (Registration No. 40,210)

Lh:01 d b- 120 0000

Please call us immediately (212-326-3939) if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.